

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

PABLO ARRIAGA-ZACARIAS, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No.
	:	7:08-CV-32(HL)
LEWIS TAYLOR FARMS, INC., et al.,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court are Plaintiffs' Motion to Enforce Subpoena to Sprint (Doc. 92), Motion to Compel Subpoena Response from Personnel Services, LLC (Doc. 93), Motion to Enforce Subpoena to Agworks, Inc. (Doc. 108), and Motion to Compel Response to Plaintiffs' First Requests for Production of Documents to Lewis Taylor Farms, Inc. and Quality Produce, LLC (Doc. 111). This Court held a hearing on these Motions in Valdosta, Georgia, on July 16, 2009. At that hearing, this Court issued various rulings on the Motions. This Order memorializes and elaborates on those rulings.

First, Plaintiffs' Motion to Enforce Subpoena to Sprint is granted. The subpoena seeks the phone records of Bartolome Acosta, who worked for Defendants during the period in question as a supervisor and recruiter of H-2A workers. Assuming that Defendants have standing to object to the subpoena, the Court finds

that the subpoena seeks relevant information and that is not overbroad or unduly burdensome. Defendants have expressed some concern that Acosta, in addition to using the phone for business reasons, also used it for personal reasons. Defendants seek to protect the privacy of the personal phone numbers that Acosta called. The Court fails to see how Defendants have standing to raise this specific objection on behalf of Acosta. The Motion to Enforce Subpoena to Sprint is granted and the phone records are to be produced in their entirety.

Second, the Motion to Compel Subpoena Response from Personnel Services, LLC is granted. Personnel Services is to produce the documents requested by the subpoena.

Third, the Motion to Enforce Subpoena to Agworks, Inc. is granted. Agworks contends that some of the subpoena's requests are overbroad, and that some of the records sought contain confidential and private information pertaining to third parties. The Court finds Agworks's overbreadth argument to be without merit. As to Agworks's contention regarding the privacy of certain records, the Court does not find this to be a basis for not complying with the subpoena. Agworks should produce all of the records and documents sought by the subpoena. To protect the privacy of certain information, Agworks and Plaintiffs should jointly prepare a consent protective order.

Fourth, the Motion to Compel Response to Plaintiffs' First Requests for Production of Documents to Lewis Taylor Farms, Inc. and Quality Produce, LLC is

granted.

The orders contained herein are to be complied with by the parties at the earliest possible date, but not later than August 3, 2009. No later than August 7, 2009, the parties are to file a jointly prepared status report that sets forth any remaining discovery disputes. If at that time any disputes remain and the Court finds that any party has unreasonably opposed any discovery requests or is otherwise in violation of any orders of this Court or the Federal Rules of Civil Procedure, the Court will consider imposing sanctions on the violating party.

SO ORDERED, this the 20th day of July, 2009.

s/ Hugh Lawson_____
HUGH LAWSON, Judge

dhc